<u>REMARKS</u>

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1-27 and 35 have been cancelled without prejudice. Claims 28, 36, and 37 have been amended. Therefore, claims 28-34 and 36-42 are pending.

<u>Double Patenting</u>

Claims 26-42 were rejected under double patenting as unpatentable over Application No. 09/425,485. However, Application No. 09/425,485 is an abandoned application. Therefore, the double patenting rejections of claims 26-42 should be withdrawn.

<u>Claim Rejections - 35 U.S.C. § 103</u>

Claims 1-42 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,311,060 issued to Evans in view of U.S. Patent No. 6,044,265 issued to Roach.

Claim 28, as amended, recites the following:

reading a first SID broadcast in a first frequency band, said first SID identifying a particular cellular service provider;
determining whether said first SID matches a SID stored in a SID table;
switching to a second frequency band and reading a second SID broadcast in said second frequency band if said first SID does not match a SID stored in said SID table, wherein said particular cellular service is identified if said SID in said first or second frequency bands matches a SID stored in said SID table; and
determining whether data transmissions are urgent if neither said first nor said second SID are identified in said SID table, and
performing a high priority detection process for detecting said cellular service if data transmissions are urgent; and
performing a low priority detection process for detecting said cellular service if data transmissions are not urgent.

Claim 37 similarly recites reading a first SID broadcast in a first frequency band, switching to a second frequency band and reading a second SID broadcast in a second frequency

band if the first SID does not match a SID stored in the SID table, determining whether data transmissions are urgent if neither the first nor the second SID are identified in said SID table, performing a high priority detection process for detecting said cellular service if data transmissions are urgent, and performing a low priority detection process for detecting said cellular service if data transmissions are not urgent.

Evans discloses a method and system for registering the location of a mobile cellular communications device. The system includes sets of mobile data reporting devices, at least one mobile switching center, and a data collection system. Each mobile data reporting device includes a monitor to monitor the operation of the data source to obtain selected data and a mobile cellular communications device to transmit a data message containing selected data within a signal formatted as an autonomous registration signal. See col. 6, lines 5-17.

Evans does not disclose, teach or suggest reading a first SID broadcast in a first frequency band, switching to a second frequency band and reading a second SID broadcast in a second frequency band if the first SID does not match a SID stored in the SID table, determining whether data transmissions are urgent if neither the first nor the second SID are identified in said SID table, performing a high priority detection process for detecting said cellular service if data transmissions are urgent, and performing a low priority detection process for detecting said cellular service if data transmissions are not urgent. These features are recited in claims 28 and 37. Therefore, Applicants submit that claims 28 and 37 are patentable over Evans.

Roach discloses a method for programming a cellular set over a control channel. The Office Action states that Roach discloses identifying the SID by a NPA. Whether or not Roach discloses this feature, Roach does not disclose, teach or suggest reading a first SID broadcast in a first frequency band, switching to a second frequency band and reading a second SID broadcast in a second frequency band if the first SID does not match a SID stored in the SID table,

determining whether data transmissions are urgent if neither the first nor the second SID are identified in said SID table, performing a high priority detection process for detecting said cellular service if data transmissions are urgent, and performing a low priority detection process for detecting said cellular service if data transmissions are not urgent. Therefore, Roach does not cure the deficiencies of Evans. Thus, Applicants submit that claims 28 and 37 are patentable over Evans and Roach.

Claims 29-34, 36, and 38-42 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that claims 29-34, 36, and 38-42 are patentable over Evans and Roach for at least the reasons set forth above.

Conclusion

In view of the amendments and remarks set forth above, Applicants submit that claims 28-34 and 36-42 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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